

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CHRISTIAN MARTINEZ,**

**Plaintiff,**

**v.**

**THOMAS ESPOSITO,**

**Defendant.**

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**CIVIL ACTION**

**No. 17-2553-KHV**

**MEMORANDUM AND ORDER**

Defendant shall file a written motion to enforce the settlement agreement no later than **5PM on Monday, December 23, 2019**. Plaintiff shall file any response to said motion by **5PM on Thursday, December 26, 2019**. Defendant shall file any reply by **5PM on Friday, December 27, 2019**. The Court will conduct an evidentiary hearing on defendant's motion to enforce the settlement agreement at **9:30 AM on Monday, January 6, 2020**. The Court will rule on the motion at the conclusion of the evidence. If the Court overrules the motion, based on the evidence, the case will proceed to jury trial at **2PM on Monday, January 6, 2020**.

**IT IS SO ORDERED.**

Dated this 19th day of December, 2019 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge